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| UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b)) | Attorney Docket No. MWS-055 | |
| | First Inventor Matthew Englehart | |
| | Title RATE GROUPING DURING CODE GENERATION FOR MULTI-RATE MODELS | |
| | Express Mail Label No. EV355387225US | |

| | |
|---|---|
| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | ADDRESS TO: MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 |
|---|---|

| | |
|---|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing) 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages 52] (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 20] 5. Oath or Declaration [Total Sheets 1] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATIONS PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement [Power of Attorney] (when there is an assignee) 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure [Copies of IDS] Statement (IDS)/PTO-1449 Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: |
|---|---|


18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____


Prior application information: Examiner _____ Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

| | | | | | |
|---|---|--------------|-----------------------|---|-----------------------|
| 19. CORRESPONDENCE ADDRESS | | | | | |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | | 00959 | | or <input checked="" type="checkbox"/> Correspondence address below | |
| Name | LAHIVE & COCKFIELD, LLP Thomas V. Smurzynski | | | | |
| Address | 28 State Street | | | | |
| City | Boston | State | MA | Zip Code | 02109 |
| Country | US | Telephone | (617) 227-7400 | Fax | (617) 742-4214 |

| | | | |
|-------------------|---|-----------------------------------|----------------------|
| Name (Print/Type) | David R. Burns | Registration No. (Attorney/Agent) | 46,590 |
| Signature |  | Date | July 18, 2003 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV355387225US, in an envelope addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 18, 2003 Signature:  (David R. Burns)

03840 U.S. PTO
10/622211
07/18/03

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

| | | |
|--------------------------------|-------------|-----------------|
| TOTAL AMOUNT OF PAYMENT | (\$) | 1.554.00 |
|--------------------------------|-------------|-----------------|

| | |
|----------------------|-----------------------|
| Application Number | Not Yet Assigned |
| Filing Date | Concurrently Herewith |
| First Named Inventor | Matthew Englehart |
| Examiner Name | Not Yet Assigned |
| Art Unit | N/A |
| Attorney Docket No. | MWS-055 |

FEE CALCULATION (continued)☒ Deposit Account

12-0080

Lahive & Cockfield, LLP

The Director is hereby authorized to: (check all that apply)

| | | | |
|-------------------------------------|-------------------------------|-------------------------------------|-------------------------|
| <input checked="" type="checkbox"/> | Charge fee(s) indicated below | <input checked="" type="checkbox"/> | Credit any overpayments |
|-------------------------------------|-------------------------------|-------------------------------------|-------------------------|

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Charge any additional fee(s) during the pendency of this application |
|-------------------------------------|--|

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

1. BASIC FILING FEE

| Large Entity | Small Entity |
|---|--|
| <p>1. Revenue Recognition</p> <p>Large entities use the percentage of completion method for long-term contracts, recognizing revenue as work progresses. Small entities often use the cost of sales method, recognizing revenue only when the contract is completed.</p> | <p>1. Revenue Recognition</p> <p>Small entities often use the cost of sales method for long-term contracts, recognizing revenue only when the contract is completed.</p> |
| <p>2. Inventory Valuation</p> <p>Large entities use the FIFO (First In, First Out) method for inventory valuation. Small entities often use the LIFO (Last In, First Out) method.</p> | <p>2. Inventory Valuation</p> <p>Small entities often use the LIFO (Last In, First Out) method for inventory valuation.</p> |
| <p>3. Depreciation</p> <p>Large entities use the MACRS (Modified Accelerated Cost Recovery System) for depreciation. Small entities often use the straight-line method.</p> | <p>3. Depreciation</p> <p>Small entities often use the straight-line method for depreciation.</p> |
| <p>4. Bad Debt Expense</p> <p>Large entities use the allowance method for bad debt expense. Small entities often use the direct write-off method.</p> | <p>4. Bad Debt Expense</p> <p>Small entities often use the direct write-off method for bad debt expense.</p> |
| <p>5. Lease Accounting</p> <p>Large entities use the ASC 842 (Leases) standard for lease accounting. Small entities often use the ASC 840 (Leases) standard.</p> | <p>5. Lease Accounting</p> <p>Small entities often use the ASC 840 (Leases) standard for lease accounting.</p> |

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001 | 750 | 2001 | 375 | Utility filing fee | 750.00 |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

| | | |
|--------------|------|--------|
| SUBTOTAL (1) | (\$) | 750.00 |
|--------------|------|--------|

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | | Extra Claims | | Fee from below | | Fee Paid |
|-----------------------|----|---------|-----------------|---|-------------------|---|----------|
| Total Claims | 32 | -20** = | 12 | x | 18.00 | = | 216.00 |
| Independent Claims | 10 | -3** = | 7 | x | 84.00 | = | 588.00 |
| Multiple Dependent | | | | | | | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

| | | |
|---------------------|-------------|---------------|
| SUBTOTAL (2) | (\$) | 804.00 |
|---------------------|-------------|---------------|

****or number previously paid, if greater; For Reissues, see above**

3. ADDITIONAL FEES

| Large Entity | Small Entity |
|--|---|
| <p>1. Revenue Recognition</p> <p>Large entities use the percentage of completion method for long-term contracts, recognizing revenue as work progresses. Small entities often use the cost of sales method, recognizing revenue only when the contract is completed.</p> | <p>1. Revenue Recognition</p> <p>Small entities often use the cost of sales method for long-term contracts, recognizing revenue only when the contract is completed.</p> |
| <p>2. Inventory Valuation</p> <p>Large entities use the FIFO (First In, First Out) method for inventory valuation. Small entities may use the LIFO (Last In, First Out) method, which can provide a tax advantage in periods of rising prices.</p> | <p>2. Inventory Valuation</p> <p>Small entities may use the LIFO (Last In, First Out) method for inventory valuation, which can provide a tax advantage in periods of rising prices.</p> |
| <p>3. Depreciation</p> <p>Large entities use the MACRS (Modified Accelerated Cost Recovery System) for depreciation. Small entities may use the straight-line method, which spreads the cost of an asset evenly over its useful life.</p> | <p>3. Depreciation</p> <p>Small entities may use the straight-line method for depreciation, which spreads the cost of an asset evenly over its useful life.</p> |
| <p>4. Bad Debt Expense</p> <p>Large entities use the allowance method for bad debt expense, estimating the amount of uncollectible accounts at the end of each period. Small entities may use the direct write-off method, recognizing bad debt expense only when an account is determined to be uncollectible.</p> | <p>4. Bad Debt Expense</p> <p>Small entities may use the direct write-off method for bad debt expense, recognizing bad debt expense only when an account is determined to be uncollectible.</p> |
| <p>5. Lease Accounting</p> <p>Large entities use the ASC 842 (Leases) for lease accounting, requiring the recognition of lease liabilities and right-of-use assets. Small entities may use the ASC 840 (Leases), which allows for the use of the operating lease method.</p> | <p>5. Lease Accounting</p> <p>Small entities may use the ASC 840 (Leases) for lease accounting, allowing for the use of the operating lease method.</p> |

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge – late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge – late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive – unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37CFR 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

| | | |
|---------------------|-------------|-------------|
| SUBTOTAL (3) | (\$) | 0.00 |
|---------------------|-------------|-------------|

SUBMITTED BY

| | |
|-------------------|----------------|
| Name (Print/Type) | David R. Burns |
|-------------------|----------------|

Registration No.
(Attorney/Agent)

46.590

Complete (if applicable)

Telephone (617) 227-7400

Signature

Date _____

July 18, 2003

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Dated: July 18, 2003

Signature: David R. Burns (David R. Burns)

| | | | |
|---|----------------------|---|-------------------|
| NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i) | First Named Inventor | | Matthew Englehart |
| | Title | RATE GROUPING DURING CODE GENERATION FOR MULTI-RATE MODELS | |
| | Attorney Docket No. | | MWS-055 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 18, 2003

Date

David R. Burns

Signature

(617) 227-7400

Telephone Number

David R. Burns - 46,590

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

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Dated: July 18, 2003

Signature: *David R. Burns* (David R. Burns)

Application No. (if known):

Attorney Docket No.: MWS-055

Certificate of Express Mailing Under 37 CFR 1.10

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MS Patent Application
Commissioner for Patents
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Alexandria, VA 22313-1450

on July 18, 2003
Date

David R. Burns
Signature

David R. Burns
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet